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CHENG HU and XIAO LIANG

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONALD CHEN and STEPHANIE  
CHAN,

Plaintiffs,

v.

CHENG HU and XIAO LIANG  
and DOES 1 through 10, inclusive,

Defendants.

Case No.: 3:21-cv-05065-SK

San Mateo County Superior Court Case  
No. 21-CIV-03001

**[PROPOSED] ORDER GRANTING  
MOTION OF CHENG HU AND  
XIAO LIANG FOR FULL OR  
PARTIAL SUMMARY JUDGMENT**

Date: October 3, 2022

Time: 9:30 a.m.

Ctrm/Dept: Courtroom C, 15th Floor  
450 Golden Gate Ave.  
San Francisco, CA 94102

Judge: Magistrate Judge Sallie Kim

Complaint filed: June 1, 2021

Action removed to this court: June 30,  
2021

Trial date: January 24, 2023

The Motion for Summary Judgment of defendants Cheng Hu and Xiao Liang (“Defendants”) against plaintiffs Donald Chen and Stephanie Chan (“Plaintiffs”) came on regularly for hearing on October 3, 2022 at 9:30 a.m. in Courtroom C of the above-entitled Court. After full consideration of the evidence and the written

1 and oral submission by the parties, the Court found Defendants Cheng Hu and  
2 Xiao Liang are entitled to summary judgment because Plaintiffs' have failed to  
3 satisfy the elements of their claims.

4 Accordingly, IT IS ORDERED AND ADJUDGED that:

- 5 1. Judgment is entered in favor of Defendants Cheng Hu and Xiao Liang  
6 and against Plaintiffs Donald Chen and Stephanie Chan on their  
7 Complaint for Damages; and
- 8 2. Defendant Cheng Hu and Xiao Liang, as the prevailing party on the  
9 Complaint, shall recover its costs against Plaintiffs.

10 Alternatively, partial summary judgement of Plaintiffs' cause of action for  
11 Trespass/Nuisance shall be dismissed because Plaintiffs cannot satisfy the element  
12 of their claim.

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Magistrate Judge Sallie Kim  
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